S.B.CRIMINAL MISC. BAIL APPLICATION NO. 4578/2007
(Ratan Lal and Ors. Vs. State of Rajasthan)

DATE OF ORDER : 25/09/2007

HON'BLE MR.H.R.PANWAR, J.

Mr. Sandeep Mehta for the petitioners.
Mr. Ashok Upadhayay, Public Prosecutor for State.
Mr. S.S.Shaktawat for the complainant.

Learned counsel for the petitioners does not want to press the bail application filed on behalf of petitioner No.1 Ratan Lal. The bail application filed by petitioner No.1 Ratan Lal under Section 438 Cr.P.C. is therefore, dismissed as not pressed.

However, having heard learned counsel for the petitioners and Public Prosecutor for the State assisted by counsel for the complainant and on Perusal of the order impugned and the police investigation diary, there appears to be hardly any allegation of causing injury by petitioner No.2 Bheru Lal and so far as the petitioner No.3 is concerned, the allegation against him is that he inflicted injury to Madhulal on his right leg. From the perusal of the injury report of injured, the injury is simple in nature by blunt.

Looking to the facts and circumstances of the case and having considered the oral arguments advanced by both the parties, I consider it just and proper to allow the bail application filed by the petitioners No. 2 and 3 under Section 438 Cr.P.C.

Accordingly, the bail application filed by the petitioners No.2 and 3 u/s 438 Cr.P.C. is allowed and it is directed that in the event of arrest of petitioners Bheru Lal S/o Narayan and Devilal S/o Bhagwan in FIR No. 317/07 P.S. Chanderia, district Chittorgarh, they shall be released on bail for a period till the police concludes the investigation and files the challan provided each of them furnishes a personal bond in the sum of

Rs.10,000/- alongwith one surety of like amount to the satisfaction of Investigating Officer to surrender and appear before the trial court on the date of filing of the challan after conclusion of the investigation on the following conditions:-

(i)That they shall make themselves available for interrogation by a police officer as and when required;

(ii)That they shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer and;

(iii)That they shall not leave India without the previous permission of the Court.

The petitioners shall surrender before the trial court on the date of filing of the challan and move a regular bail.

(H.R.PANWAR), J.

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